

**REMARKS****Status of the Claims**

Claims 1-10 and 16-20 are currently present in the Application, and claims 1, 6, and 16 are independent claims. Claims 1-2, 5-7, 10, 16-17, and 20 have been amended, claims 11-15 have been canceled, and no claims have been added.

Applicants are not conceding that the subject matter encompassed by claims 1-20, prior to this and previous amendments, are not patentable over the art cited by the Examiner. Claims 1-2, 5-7, 10, 16-17, and 20 were amended and claims 11-15 were canceled in this amendment solely to facilitate expeditious prosecution of this Application. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by claims 1-20 as presented prior to this and previous amendments, and additional claims in one or more continuing applications.

**Examiner Interview**

Applicants note with appreciation the telephonic interview conducted between Applicants' representative and the Examiner on March 24, 2009. During the telephonic interview, the Examiner and Applicants' representative discussed the 102 reference (Tange, U.S. 6,707,468) and two of the 103 references (The University of Maryland's web page and Gifford, U.S. 6,052,718). In particular, Applicants' representative discussed that Applicants' browser selects a user-specified alternate home page based upon a predetermined condition, such as a time of day or whether the browser is connected to a particular network. In contrast, the prior art discusses times at which web pages are available and discloses the comparison of IP addresses, but the prior art does not teach the selection of an alternate home page based upon these matters. The Examiner mentioned that the prior art would display a web page indicating an error (e.g., "application unavailable"), which may be construed as an alternate home page. As such, the Examiner suggested further describing Applicants' alternate home page in order to distinguish the alternate home page over a redirected web page that a server provides.

**Claim Rejections Under 35 U.S.C. § 112**

Claims 11-15 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for lacking any description of particular structure in the specification. Applicants have canceled claims 11-15 in this response and, therefore, rejections to these claims are moot.

Claim 6 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for lacking any description of particular structure in the specification. Applicants have amended claim 6 accordingly, and request the removal of the 112 rejection to claim 6 in the next Office communication.

**Claim Rejections - Alleged Anticipation Under 35 U.S.C. § 102**

Claims 1, 6, 11, and 16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tange (U.S. 6,707,468, hereinafter "Tange"). Applicants respectfully traverse these rejections. Claim 11 has been canceled in this response and, therefore, rejection to this claim is moot.

Applicants have amended independent claim 1 to further describe steps for selecting an alternate home page in response to various predetermined conditions. Support for such amendment may be found in Applicants' specification on page 3, lines 8-20; page 8, lines 20-23; and page 12, lines 6-22. Therefore, no new matter is added with such amendment. As amended, claim 1 is a method for a web browser to display a home page upon activation comprising the steps of:

- determining, by the browser, whether there is indicated in the browser a default home page to display upon activation;
- in response to determining that there is indicated in the browser a default home page to display upon activation, determining whether there is also indicated in the browser an alternate home page to display, the alternate home page corresponding to an alternate home page address stored by the browser and being configured to be displayed instead of the default home page based on at least one predetermined condition;
- in response to determining that the at least one predetermined condition is satisfied that indicates that the default home page is inaccessible when there is also indicated in the browser an

alternate home page to display, automatically retrieving the alternate home page address and sending a request from the browser to the alternate home page address;

- in response to sending the request to the alternate home page address, receiving the alternate home page and displaying the alternate home page; and
- displaying the default home page in response to determining that the at least one predetermined condition is not satisfied when there is also indicated in the browser an alternate home page to display.

A browser determines whether to display a home page or an alternate home page based upon a predetermined condition, such as a time of day or whether the browser is connected to a particular computer network. When a predetermined condition exists that indicates that the home page is inaccessible, the browser automatically retrieves an alternate home page address and sends a request for the alternate home page. In turn, the browser receives and displays the alternate home page.

In contrast, Tange allows a user to manually select, from a user interface, a home page in which to display. As can be seen in Tange's Figure 2, element 34, a user selects a home page from a drop down menu. Tange, however, never teaches or suggests *"in response to determining that the at least one predetermined condition is satisfied that indicates that the default home page is inaccessible when there is also indicated in the browser an alternate home page to display and automatically retrieving the alternate home page address and sending a request from the browser to the alternate home page address"* as claimed by Applicants. Rather, Tange displays a particular home page based solely upon a user's selection.

Therefore, since Tange does not teach or suggest all the limitations of independent claim 1 as amended, independent claim 1 is allowable over Tange. Independent claim 6 is a computer program product claim including limitations similar to those found in claim 1 and, therefore, is allowable for at least the same reasons that claim 1 is allowable as discussed above. Independent claim 16 is a computer system

claim including limitations similar to those found in claim 1 and, therefore, is allowable for at least the same reasons that claim 1 is allowable as discussed above.

### **Claim Rejections – Alleged Obviousness Under 35 U.S.C. § 103**

Claims 2, 3, 7, 8, 12, 13, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tange in view of University of Maryland's Web (hereinafter "UM web page"). Applicants respectfully traverse these rejections. Claims 12 and 13 have been canceled in this response and, therefore, rejections to these claims are moot.

Notwithstanding the fact that claim 2 depends upon independent claim 1 and, therefore, is allowable for at least the same reasons as independent claim 1 discussed above, claim 2 adds limitations to claim 1 of:

- wherein said at least one predetermined condition includes determining time and day indicated in a scheduler, located in the browser, that the alternate home page is to be displayed instead of the default home page.

Applicants' scheduler indicates times at which to display the alternate home page, such as evening hours and weekends. Referring to claim 1's limitations, when this occurs, Applicants' browser automatically retrieves the alternate home page address and sends a request to the alternate home page address. In contrast, UM web page discloses times at which applications are available, but does not disclose the UM web page's reaction during those times at which applications are not available. During the Examiner interview, the Examiner mentioned that the UM web page will display some type of alternate home page, which may state that the selected application is unavailable.

Although this may occur, the UM web page (server) is the entity deciding which alternate home page in which to display. This is different than Applicants' browser determining whether to display an alternate home page, and therefore, is different than *"determining time and day indicated in a scheduler, located in the browser, that the alternate home page is to be displayed instead of the default home page...and automatically retrieving the alternate home page address and sending a request from*

the browser to the alternate home page address” as claimed by Applicants. The Office Action does not suggest that Tange teaches such limitations and, indeed, Tange does not teach such limitation. Therefore, since neither Tange nor UM web page teach or suggest, either in whole or in combination with each other, all the limitations included in dependent claim 2, dependent claim 2 is allowable over Tange in view of UM web page.

Each of dependent claims 7 and 17 include limitations similar to those found in dependent claim 2. Therefore, each of claims 7 and 17 are allowable for at least the same reasons that claim 2 is allowable as discussed above. Each of claims 3, 8, and 18 depend upon allowable independent claims 1, 6, or 16. Therefore, each of claims 3, 8, and 18 are allowable for at least the same reasons that their respective independent claims are allowable as discussed above.

Claims 4, 5, 9, 10, 14, 15, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tange in view of Gifford (U.S. 6,052,718, hereinafter “Gifford”). Applicants respectfully traverse these rejections. Claims 14-15 have been canceled in this response and, therefore, rejections to these claims are moot.

Notwithstanding the fact that claim 5 depends upon independent claim 1 and, therefore, is allowable for at least the same reasons as independent claim 1 discussed above, claim 5 adds limitations to claim 1 of:

- wherein the computer system hosting the default home page and the computer system displaying the default home are determined, by the browser, to be on a common network by comparing Internet protocol (IP) address of the computer system hosting the default home page with the IP address of the computer system displaying the default home page.

Applicants’ browser determines a point in which to display the alternate home page based upon the browser’s connected network, such as a business’ internal computer network or a household network. Referring to claim 1’s limitations and as discussed above, when this occurs, Applicants’ browser automatically retrieves the alternate home page address, sends a request to the alternate home page and displays the alternate home page.

In contrast, Gifford discusses matching IP addresses, but never discusses displaying an alternate home page based upon the matching results. Gifford states:

"A net mask (sometimes called a subnet mask) specifies which portions of an IP address contain network and subnetwork identifiers and thus should be matched to a second IP address to determine whether the two addresses are on the same network." (col. 4, lines 50-54)

As can be seen, Gifford determines whether two address are on the same network, but never teaches or suggests *"wherein the computer system hosting the default home page and the computer system displaying the default home are determined, by the browser, to be on a common network by comparing Internet protocol (IP) address of the computer system hosting the default home page with the IP address of the computer system displaying the default home page"* as claimed by Applicants. The Office Action does not suggest that Tange teaches such limitations and, indeed, Tange does not teach such limitation. Therefore, since neither Tange nor Gifford teach or suggest, either in whole or in combination with each other, all the limitations included in dependent claim 5, dependent claim 5 is allowable over Tange in view of Gifford.

Each of dependent claims 10 and 20 include limitations similar to those found in dependent claim 5. Therefore, each of claims 10 and 20 are allowable for at least the same reasons that claim 5 is allowable as discussed above.

Each of claims 4, 9, and 19 depend upon allowable independent claims 1, 6, or 16. Therefore, each of claims 4, 9, and 19 are allowable for at least the same reasons that their respective independent claims are allowable as discussed above.

### **Conclusion**

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and Applicants respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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